

PRODUCT: 5 $\frac{1}{2}$ dozen packages of *Nokor* at Kansas City, Mo. Examination of a sample disclosed that the product consisted essentially of soap, calcium carbonate, lanolin, and small amounts of carbolic acid, castor oil, and camphor.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the labels of the article and in an accompanying circular entitled "What it is and How to use Nokor" were false and misleading since they represented and suggested that the article would be efficacious in the treatment of boils, carbuncles, ingrown hairs, running sores, risings, blind boils, and other inflamed skin sores, whereas the article would not be efficacious for those purposes.

DISPOSITION: April 26, 1945. No claimant having appeared, judgment was entered ordering that the product be destroyed.

1592. Misbranding of Miracle Aid for Wrinkles, Miracle Cream (Miracle Slenderizing Cream), and Miracle Bath. U. S. v. 27 Jars of Miracle Slenderizing Cream (and 12 other seizure actions against other lots of the same products and quantities of printed matter). Default decrees of condemnation and destruction. (F. D. C. Nos. 12507, 12775, 14189, 14372, 14374, 14436, 14718, 15772, 16070, 16123, 16149, 16630, 16664. Sample Nos. 41208-F, 68165-F, 68188-F, 68189-F, 68429-F, 68430-F, 68443-F to 68445-F, incl., 73305-F, 87484-F, 619-H, 620-H, 13057-H, 13058-H, 18246-H, 18247-H, 18584-H, 21829-H to 21831-H, incl., 29373-H, 29374-H.)

LIBELS FILED: Between June 9, 1944, and June 29, 1945, Northern District of California, Northern and Southern Districts of Ohio, Northern District of Georgia, District of Minnesota, Western District of Tennessee, Northern District of Texas, and Southern District of Iowa.

ALLEGED SHIPMENT: Between the approximate dates of March 2, 1944, and May 24, 1945, by the Miracle Products Co., from Chicago, Ill., with the exception of certain printed matter at Toledo, Ohio, and San Francisco, Calif., which was shipped on or about October 28, 1944, and on other dates unknown, by the American Beauty Products Co., from Chicago, Ill.

PRODUCT: *Miracle Cream (Miracle Slenderizing Cream)*, 144 packages and 27 jars at San Francisco, Calif.; 12 jars and 28 packages at Cincinnati, Ohio; 29 jars at Dallas, Texas; 43 packages and 71 jars at Cleveland, Ohio; 68 jars at Toledo, Ohio; 15 jars at Atlanta, Ga.; 132 jars at Minneapolis, Minn.; 37 jars at Memphis, Tenn.; and 87 jars at Des Moines, Iowa. *Miracle Aid for Wrinkles*, 46 bottles and 15 packages at Cincinnati, Ohio; 77 packages at San Francisco, Calif.; 46 bottles at Cleveland, Ohio; 44 bottles at Atlanta, Ga.; and 16 bottles at Memphis, Tenn.; *Miracle Bath*, 4 packages at Toledo, Ohio; 13 sacks at Memphis, Tenn., and 32 packages at Des Moines, Iowa.

The printed matter accompanying the products consisted of leaflets entitled "The Miracle Plan," and "Wrinkles and Double Chin Vanish"; circulars entitled "For the Preservation and Enhancement of Beauty"; display cards entitled "Miracle Aid Lotion for Wrinkles and Double Chin," "Miracle Cream, A Simple and Safe Reducing Aid for Home Use," "Reduce Without Exertion in Your Own Bath Tub," and "Miracle Slenderizing Cream"; and a number of catalogs entitled "City Catalog No. 81."

Examination of the article known as *Miracle Slenderizing Cream* and *Miracle Cream* showed that it consisted essentially of epsom salts, water, stearate, and a small amount of methyl salicylate, with certain portions also containing sodium sulfate. Examination of the *Miracle Aid for Wrinkles* disclosed that it consisted essentially of water, small amounts of albumin, sodium sulfate, and perfume, with the exception of a portion which consisted essentially of water with small amounts of protein, sodium chloride, sodium benzoate, and perfume. Examination disclosed that the *Miracle Bath* consisted essentially of epsom salt, sulfur, and soap.

NATURE OF CHARGE: *Miracle Aid For Wrinkles*, misbranding, Section 502 (a), certain statements and designs on the label of the article and in accompanying labeling were false and misleading since they represented and suggested that the article would be efficacious to remove wrinkles and double chin, to feed skin tissues, pep up sluggish circulation, and activate important glands, whereas the article would not be efficacious for such purposes.

Miracle Cream (Miracle Slenderizing Cream), misbranding, Section 502 (a), certain statements on the label of the article and in certain of the accompanying printed matter were false and misleading since they represented and suggested that the article would be efficacious to bring about a reduction in weight, whereas the article would not be efficacious for that purpose.

Miracle Bath, misbranding, Section 502 (a), certain statements on its label and in certain of the display cards and leaflets were false and misleading since

they represented and suggested that the article would be efficacious in the reduction of weight and in the treatment of rheumatism and arthritis, whereas the article would not be efficacious for such purposes. Further misbranding, Section 502 (b), the label on a portion of the article failed to bear a statement of the quantity of the contents.

DISPOSITION: Between August 12, 1944, and September 26, 1945. No claimants having appeared, judgments of condemnation were entered and the products were ordered destroyed.

1593. Misbranding of Presto for Blackheads. U. S. v. 108 Dozen Packages of Presto for Blackheads. Default decree of condemnation and destruction. (F. D. C. No. 9847. Sample No. 21698-F.)

LIBEL FILED: April 22, 1943, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about March 25, 1943, by the McJohn Cosmetic Co., from Hollywood, Calif.

PRODUCT: 108 dozen packages of *Presto for Blackheads* at McKeesport, Pa. Examination showed that the product consisted of a stick composed essentially of a mixture of ground pumice and titanium dioxide, incorporated in a hydrated waxy base.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements which appeared on the labeling were false and misleading as applied to the product, which was not effective in removing blackheads and in keeping the pores of the skin clean: "Presto for Blackheads Quick Aid for Blackheads * * * A clean skin is the foundation for a beautiful complexion; don't allow your complexion to be marred by unsightly Blackheads. Never squeeze or pinch Blackheads; Squeezing injures the skin and encourages large pores and Blackheads. Use Presto Stick and Eliminate Squeezing. * * * In cases of stubborn Blackheads use Presto Stick once daily for several days. Thereafter use from time to time, as required, to keep pores clean."

The article was also alleged to be misbranded as reported in notices of judgment on cosmetics, No. 124.

DISPOSITION: June 8, 1943. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1594. Misbranding of Astring-O-Sol. U. S. v. 90 Dozen Bottles and 114 Dozen Bottles of Astring-O-Sol. Default decree of destruction. (F. D. C. No. 6182. Sample No. 73243-E.)

LIBEL FILED: On or about November 13, 1941; amended March 19, 1942, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 31, 1941, by the Nyal Co., from Detroit, Mich.

PRODUCT: Astring-O-Sol, 90 dozen 8-ounce bottles and 114 dozen 4-ounce bottles at Kansas City, Mo. Analysis showed that the product consisted essentially of 68 percent alcohol, 4.6 percent methyl salicylate, 0.38 percent zinc chloride, and water. Bacteriological examinations showed that in a concentration of 1 part of the product to 8 parts of water it was neither an antiseptic nor a germicide.

LABEL, IN PART: (Carton and bottle) "Astring-O-Sol * * * Concentrated Antiseptic Germicide An Astringent Mouth Wash Throat Gargle Economical To Use Refreshes Morning Mouth For Germicidal and Other Uses"; (carton) "a pleasant, refreshing Mouth Wash, Throat Gargle, Dentifrice, Gum Massage * * * This 4 oz. bottle makes 6 full pints of refreshing mouth wash and throat gargle"; (bottle) "Antiseptic Germicide Concentrated Directions As a Refreshing Mouth Wash, Gargle and for Offensive Breath Add Several Dashes of Ostring-O-Sol to One-Quarter Glass of water, but use enough to give a pleasant tingling sensation to the mouth."

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the article was false and misleading because it created the impression that the article, when used in the dilutions mentioned in the labeling as a mouth wash and throat gargle, would be antiseptic and germicidal, whereas in such dilutions and in dilutions of 1 part of the preparation to 8 parts water, a concentration greater than that recommended for mouth wash and throat gargle use, the article was neither antiseptic nor germicidal.

Further misbranding, Section 502 (i) (1), the container of the article was so made, formed, and filled as to be misleading since the bottle occupied less than 50 percent of the volume of the carton.